

## LAW OFFICES

FEB 1 6 2006

## KILYK & BOWERSOX, P.L.L.C.

Intellectual Property Law

LUKE A. KILYK\* (PA, DC) LEONARD D. BOWERSOX JASBIR SINGH MATTHEW T. GILL DINH X. NGUYEN

400 Holiday Court, Suite 102 WARRENTON, VA 20186

**FAIRFAX OFFICE** 3603-E Chain Bridge Road Fairfax, Virginia 22030

TEL.: FAC .: (540) 428-1701 (540) 428-1720

(540) 428-1721

Email: fkilyk@kbpatentlaw.com Website: http://www.kbpatentlaw.com

Of Counsel: LAWRENCE B. BUGAISKY, Ph.D.\* (DC)

WILLIAM CHARLES JAMISON, Ph.D.

PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE:

February 16, 2006

TO:

Examiner Raymond Alejandro

Group Art Unit 1745 Mail Stop Amendment Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RE:

U.S. Patent Application No. 09/833,202

Entitled: FUEL CELLS AND OTHER PRODUCTS CONTAINING

MODIFIED CARBON PRODUCTS Our Ref: 01023(3600-344-01)

FROM:

Luke A. Kilyk, Esq. 22

FAC. TEL. NO.:

1-571-273-8300

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 17

Items Attached: Amendment -- 15 pages

Fee Transmittal -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on February 16, 2006.

Kim Blum Name (Print)

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

<sup>\*</sup>Admitted only in states indicated

5404281721

KILYK BOWERSOX PLLC

FEB 1 6 2006 PAGE

02

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE and to a collection of information unless it displays a valid OMB control number.

Under the Paperwork Reduced in Account 1999; the persons			Complete if Known							
FEE TRANSMITTA	İ		Application Number 09/833,202							
LEE IVANOMILIAE			Filing Date			April 11, 2001				
for FY 2005			First Named Inventor		Jameel MENASHI					
				er Name		Raymond Alejandro				
	Effective 10/01/2003. Patent fees are subject to annual revision.			Art Unit			1745			
Applicant Claims small entity status. See 37 CFR 1.27						01023 (3600	344-01)			
TOTAL AMOUNT OF PAYMENT (\$) 100.00	00									
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)								
Check Credit card Money Other None		DDITIO Entity		EES Entity						
X Deposit Account	Fee	Fee	Fee	Fee	Fee De	scription		Fee Paid		
X Deposit Account Deposit 03-0060	Code 1051	(\$) 130	2051	(\$) 65	Surcharge - late filing f	arge - late filing fee or oath				
Number					Surcharna – late provis	charge – late provisional filing fee or				
Deposit Account Cabot Corporation	1052	50	2052	25	cover sheet					
Name	1053	130	1053	130	Non-English specificati	on	ļ			
The Director is authorized to: (check all that apply)  X Charge fee(s) indicated below  X Credit any overpayments	1812	2,520	1812	2,520	For filing a request for e	ex parte reexami	ination			
X Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Evaminer action					
Charge fee(s) indicated below, except for the filling fee	1805	1,840*	1805	1,840*	Requesting publication Examiner action	of SIR after	ſ			
to the above-identified deposit account.	1				Extension for reply with	in first manth	}			
FEE CALCULATION	1251	120	2251	60	• •					
1. BASIC FILING FEE	1252 1253	450 1020	2252 2253	225 510	Extension for reply with Extension for reply with		"			
Large Entity Small Entity Fee Fee Fee Fee Fee Fee Description Fee Paid	1254	1590	2254	795	Extension for reply with					
Code (\$) Code (\$)	1255	2160	2255	1080	Extension for reply with	in fifth month				
1011 300 2011 150 Utility filing fee	1401	500	2401	250	Notice of Appeal					
1013 200 2013 100 Plant filing fee	1402	500	2402	280	Filing a brief in support	a brief in support of an appeal				
1014 300 2014 150 Reissue filing fee	1403	1000	2403	500	Request for oral hearing	=				
1005 200 2005 100 Provisional filing fee	1451	1510 500	1451 2452	1,510 260	Petition to institute a pro- Petition to revive - una		kaing			
SUBTOTAL (1) (\$)0.00	1452 1453	1500	2452	750	Petition to revive - unit					
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1400	2501	700	Utility issue fee (or rela	sue)				
Fee from Extra Claims below Fee Paid	1502	800	2502	400	Design issue fee					
Total Claims 27 -25** 2 x 50.00 = 100.00	1503	1100	2503	550	Plant issue fee					
Independent 3-3- X 0.00 - 0.00	1460	130	1460	130	Petitions to the Comm					
Multiple Dependent	1807	50	1807	50	Processing fee for pro-					
Large Entity Small Entity	1806	180	1806	180	Submission of Informat			<b></b>		
Fee Fee Fee Fee Fee Description	8021	40	8021	40	property (times number	rding each patent assignment per rly (times number of properties)				
1202 50 2202 25 Claims in excess of 20	1809	790	2809	395	Filing a submission aff (37 CFR 1.129(a))	er final rejection	Ì			
1201 200 2201 100 Independent claims in excess of 3	1810	790	2810	395	For each additional im					
	I.	790	2801	395		nined (37 CFR 1.129(b)) set for Continued Examination (RCE)				
1204 200 2204 100 **Reissue independent claims	1802		1802	900		est for expedited examination				
1205 50 2205 25 over original patent  **Reissue ctaims in excess of 20 and over original patent			ı		or a new Arrachingmon	•				
· —	, [						<del></del>			
SUBTOTAL (2) (\$) 100.00	UBTOTAL (2) (\$) 100.00 Other fee (specify)					· · · · · · · · · · · · · · · · · · ·				
™ or number previously paid, if greater, For Refssues, see above								<u></u>		
SUBMITTED BY Complete (if applicable)										
Name (Print/Type) Luke A. Kilyk		gistration . ttorney/Agi		33,25	1	Telephone	1-540-4	28-1701		
Name (Print/Type) Luke A. Kilyk Signature			,			Date	February	16,2006		

WARNING: Information on this form may become public. Credit card Information should not be Included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DN NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on February 16, 2006.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on February 16, 2006.

RECEIVED

Name (Print)

FEB 1 6 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Jameel MENASHI	)		
		)	Examiner:	Raymond Alejandro
Application Number:	09/833,202	)		
		)	Group Art Unit:	1745
Filed:	April 11, 2001	)	. <del>-</del>	
	-	)	Confirmation No.:	1699
Docket No.:	01023 (3600-344-01)	Ś		

FUEL CELLS AND OTHER PRODUCTS CONTAINING MODIFIED CARBON PRODUCTS For:

## AMENDMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

February 16, 2006

Sir:

This Amendment is in response to the Office Action dated November 17, 2005, for which the Examiner has set a three-month period for response, thus making the response due on or before February 17, 2006.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.